

## **STAFF COMMENTS: 06/08/10**

**REMINDER FOR COMMISSIONERS TO STATE THEIR NAME BEFORE SPEAKING.  
REMINDER FOR STAFF TO COME TO THE PODIUM WHEN SPEAKING.  
REMINDER TO TURN OFF ALL CELL PHONES DURING THE MEETING...**

**ITEM 1.** ::Review :: Staff comments for the commissions review included herein.

**ITEM 2.** ::Review : No Action:: For the past year John Willie has been working on the General Plan and he is ready to start review of several sections in draft form. He has presented a short introduction of the Bureau of Land Management, National Forest, National Park, Institutional and Trust Lands Administration. The commission should be ready to make comments on what was presented. (There are no attachments included herein)

**ITEM 3.** ::Action Item : Recommendation:: This will be the 3<sup>rd</sup> extension on the Conditional Use for an asphalt plant on 31.5 acres near Pintura. This years review will include a temporary site plan/use for construction on Interstate 15, as they are use the same temporary facility used previously . The County Commission approved the I-1 Zone change on the 6<sup>th</sup> of March and the CUP on March 27, 2007 (County Code 10-12-3). Prior to receiving a building permit on the permanent facility, the Planning Commission will have to grant Site Plan Approval (County Code 10-12-4:D), and at that time, the Commission will need to review Title 10-12-5: Special Provisions, which may need to be considered with the Conditional Use Permit or Site Plan Approval. Access for haul trucks would be from the Browse Exit on I-15, with ingress and egress from an existing County Road and a private easement which was installed when the temporary plant operation was approved several years ago. (See vicinity map, original site plan and minutes attached) The motion in 2007 was as follows: “*...to recommend approval of the Conditional Use Permit , for a period of one (1) year, subject to site plan approval. The one year will begin at the time of activation, with no activity allowed beforehand.*”

**ITEM 4.** ::Action Item : Recommendation:: The commission may recall there has been two 90-day reviews and this will be the 2<sup>nd</sup> annual extension for the gravel crushing operation. In 2008, the first contract with UDOT for improvements to Interstate 15 was fulfilled and now there is a second contract, so there will be a need to operate during the nighttime hours. There has been recent complaints from a resident in Pintura about the noise. This is the annual review for the crushing operation that County Commission approved within the OST-20 Zone. Access for haul trucks would be from the Browse Exit on I-15, with ingress and egress from an existing County Road and a private easement. The commission addressed the following issues as a part of their previous motion in 2007: “*... hours of operation from 4:00 a.m. to 10:00 p.m., noting that the applicant will work in concert with the adjoining I-1 zone for sanitary and waste disposal, and other support for employees. Also noting that if the crusher is moved from Phase 1 on the site plan to Phase 2, an additional Conditional Use Permit will be required, and that the property will be properly signed for safety with relationship to access, and that a stop sign will be installed as entering from the property to the frontage road.*” (See site plan attached and minutes).

**ITEM 5.** ::Action Item : Recommendation:: This is an automatic annual review of an event sponsored by the Blue Duck Racing Association for a 5k and 15 mile run along Grass Valley Road and running north toward Pinto. These types of events are reviewed conditionally at a public

meeting to ensure that citizens have the opportunity to comment on the application (County Code 10-18-2 (amended 2008)). The staging area is approximately 1.5 miles north of Pine Valley beginning at 7:00 am, and will be completed by 12:00 pm. The applicant will need a liability insurance policy in place, listing Washington County as a beneficiary. Previously, they expected 20 - 50 participants and the number of Porta Potties were based on that number. Aid stations will be located approximately every 2 miles. The Forest Service has set the criteria for this activity as to parking and public safety. An EMT will be on site and cell phone will allow for communication to emergency response with Enterprise as the provider. The applicant will be invited to attend the meeting for an update on the previous event and numbers of participants planned for this event. (See routing map, event summary and minutes attached)

**ITEM 6. ::Action Item : Recommendation::** This is an automatic annual review of a motocross and ATV track, which is for personal and public use, with several scheduled events each year. Previously, the commission determined this zone was similar and compatible with surrounding land use and will need to made findings that the use is consistent or similar with the characteristics and purposes stated for the zone. The proposed use requested is similar to the gravel pits, trail uses and private recreation grounds and facilities allowed conditionally within the OST-20 zone (10-6B-3). The commission addressed concerns about noise and dust pollution, parking, ingress and egress for safe travel, hours of operation, water, and sanitary facilities, and emergency services available (see site plan, vicinity map and minutes included herein).

**ITEM 7. ::Action Item : Recommendation::** The owners of these two commercial parcels, with existing structures have found it difficult to run a commercial venture seasonally and have residential use at another location. Their agent suggests that if the uses were combined, it would make it more feasible on the short term basis. The Fuller unit was previously used as a cabin, Steak House, Bed & Breakfast, Store, and a Real Estate Office being converted back into a Store last year. The Selva property was initially built as a Convenience Store approximately 10 years ago. This is within a C-2 Highway Commercial Zone, with the principal objective in establishing this zone is to provide an area where facilities that serve the traveling public can be most appropriately located. This will need to be reviewed as a use (residential) similar to the above and judged to be in harmony with the character and intent of C-2 zone (County Code 10-10-2). The C-3 zone allows for a caretakers dwelling, incidental to a commercial use. If approved, both buildings will have to be brought up to current building codes meeting handicapped requirements. (See vicinity map and documentation attached)

**ITEM 8. ::Hearing : No Action::** The commission will need to open a public hearing as referenced by State Code, whereas amending Washington County Land Use Ordinance requires a minimum ten days published notice and 24 hour posting of agenda before other public meetings. *This item is in conjunction with the item below.*

**ITEM 9. :: Action Item : Recommendation ::** This ordinance amendment is in keeping with suggestions from the commission at our previous work meeting. There may need to be changes to the notification process in areas where certain types of conditional uses are requested to make the local citizens aware of what is coming to or being requested in the neighborhood, such as, cellular towers or other types of uses. It has been suggested by staff that the commission may want to consider listing types of uses “permitted” without notification. A packet will be provided to the applicant as to the standards & procedures of notification. This has been properly advertised for

the hearing process and will go before the County Commission on June 15, 2010. (See copy of proposed ordinance amendment included herein)

**ITEM 10.** ::Hearing : No Action:: The commission will need to open a public hearing as referenced by State Code, whereas amending Washington County Land Use Ordinance requires a minimum ten days published notice and 24 hour posting of agenda before other public meetings. ***This item is in conjunction with the item below.***

**ITEM 11.** ::Action Item :: Recommendation :: This particular ordinance amendment is a “housekeeping” item in an effort to make the ordinance consistent with what is required in other chapters of the zoning ordinance and State Code. This change deletes the advertising process for Bed and Breakfast within the RE zones. This has been properly advertised for the hearing process and will go before the County Commission on June 15, 2010. (See copy of ordinance included herein)

**ITEM 12.** ::Hearing : No Action:: The commission will need to open a public hearing as referenced by State Code, whereas amending Washington County Land Use Ordinance requires a minimum ten days published notice and 24 hour posting of agenda before other public meetings. ***This item is in conjunction with the item below.***

**ITEM 13.** :: Action Item : Recommendation :: This amendment is in keeping with suggestions from the commission previously regarding cemeteries after reviewing a Conditional Use Permit at the November 10<sup>th</sup>, 2009 meeting for Mr. Staples. This change is as simple as listing cemeteries as a conditional use, referencing the State Code and renumbering following uses. This change will allow for Mr. Staples to return with an amended PD zone to facilitate the cemetery and changes he has already made in property lines. Cemeteries should be conditionally approved in the PD zone and this change to the zone will be in keeping with the mixed uses and sustainable communities. This has been properly advertised for the hearing process and will go before the County Commission on June 15, 2010. (See copy of the proposed ordinance amendment included herein)

**ITEM 14.** ::Action Item: Administrative:: Copy of minutes will be available at the meeting if not included herein.

**ITEM 15.** Action taken on Planning Items by the Washington County Commission on June 1, 2010, beginning at 4:00 p.m.: (a) Conditional use to hold the annual Founder’s Day Celebration at Old Fort Harmony, approximately 3 miles east of New Harmony. L Karen Platt, applicant.

**ITEM 16.** General reporting on various topics. Any report or topic under this line item needs to be noticed, as per State Code. **Please schedule items for this agenda line item with the Land Use Authority Office no later than 10:00 a.m. on the 1st and 3rd Wednesdays of each month.**